**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CIVIL APPELLATE SIDE**

**WRIT PETITION NO. 2727 OF 2007**

Shevanta Vithoba Kawle.... Petitioner

versus

Ananda Dadu Jadhav & ors..... Respondent.

Shri H.S.Venegavkar for the petitioner

**CORAM; A.P. DESHPANDE, J.**
**DATED; 16TH AUGUST, 2007**

**P.C.;**

1. The present petitioner moved an application in regular Darkast at Exh.57 requesting the executing court to appoint him as guardian for J.D.No.2. J.D.No.2 was represented in the suit all through out, by natural mother as guardian as he is insane. The mother is J.D.No.1. The natural guardian mother did file written statement for J.D.No.2 and she has also received possession of some property in part execution of the decree for and on behalf of the J.D.No.2. The executing court has categorically held that the present application moved by the petitioner is intended to delay the execution. It is also categorically held that the interest of J.D.No.2 was properly protected and represeted by his mother, who was representing him. So far as the present

petitioner is concerned, he has no locus to claim a right to represent J.D.No.2.

2. Perused the order passed by the trial court. The same does not call for any interference. Hence writ petition is summarily dismissed.

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